IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 369 of 2003

For Approval and Signature:

Hon'ble MR.JUSTICE B.J.SHETHNA
and
Hon'ble MR.JUSTICE A.L.DAVE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

ALIAS MANUBHAI SIPAI @ ILIASBEG MUNAVERBEG MIRZA
Versus
STATE OF GUJARAT

Appearance:
1. Special Criminal Application No. 369 of 2003
MR RAJESH K KANANI for Petitioner No. 1
PUBLIC PROSECUTOR for Respondent No. 1,4
DS AFF.NOT FILED (R) for Respondent No. 2-3,5

CORAM : MR.JUSTICE B.J.SHETHNA
and
MR.JUSTICE A.L.DAVE

Date of decision: 23/04/2003

ORAL JUDGEMENT

(Per : MR.JUSTICE B.J.SHETHNA)

#. As per the order dated 17.4.2003 passed by this court respondent No.3-Taslimabanu is produced by her father Gafarbhai, respondent No.2. We had first ascertained wishes of Taslimabanu in chamber. She had specifically told us in presence of learned APP, Shri Pancholi that she is not willing to go and stay with the petitioner and she wants to go and stay with her parents. Thereafter, we had called the learned counsel for the petitioner, Shri Kanani and Shri Saiyed for private respondents. In their presence also, she stated that she is not willing to go and stay with the petitioner.

#. In view of the above, learned counsel Shri Kanani for petitioner, on instruction from the petitioner, who was also present in the court, sought permission to withdraw this petition to which neither Shri Saiyed appearing for private respondents nor Shri Pancholi, learned APP have no objection.

#. In view of the above, permission is granted. Dismissed as withdrawn. Rule is discharged. No order as to costs.

(B.J.Shethna, J.)

(A.L.Dave, J.)

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